

IT IS HEREBY ADJUDGED
and DECREED this is SO
ORDERED.

The party obtaining this order is responsible for
noticing it pursuant to Local Rule 9022-1.

Dated: January 27, 2010



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RANDOLPH J. HAINES
U.S. Bankruptcy Judge

Attorneys for CITIMORTGAGE, INC.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA - PHOENIX DIVISION

In re

PAMELA K. NUDO ,

Debtor(s).

Case No. 2:09-BK-26876-RTB

Chapter 13

ORDER FOR RELIEF

CITIMORTGAGE, INC.,

Movant,

v.

PAMELA K. NUDO , Debtor(s);
and EDWARD J. MANEY, Chapter 13
Trustee,

Respondents.

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay having been duly served upon Respondent, Respondent's counsel, and the Trustee, and no objection having been received, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The automatic stay of 11 United States Code section 362 is hereby immediately terminated as it applies to the enforcement by Movant of all of its rights in the real property under the Note and Deed of Trust commonly known as 948 S Alma School Rd #56, Mesa, Arizona 85210 ("Real Property"), which is legally described as:

1 LOT 529, HALLCRAFT VILLAS MESA THREE, ACCORDING
2 TO BOOK 152 OF MAPS, PAGE 03, RECORDS OF
MARICOPA COUNTY, ARIZONA.

3 2. That the 14-day stay of Federal Rule of Bankruptcy Procedure 4001(a)(3) is
4 waived as the property is being surrendered;

5 3. Movant is authorized to foreclose its security interest in the Real Property under
6 the terms of the Note and Deed of Trust, and pursuant to applicable state law;

7 4. Post-petition attorneys' fees and costs for the within motion may be added to the
8 outstanding balance of the subject Note as allowed under applicable non-bankruptcy law;

9 5. Upon foreclosure, in the event Debtor fails to vacate the Property, Movant may
10 proceed in State Court for forcible detainer pursuant to applicable state law;

11 6. If the Trustee is making payments to Movant, the Trustee shall cease making such
12 payments at the next regular disbursement following service of this Order;

13 7. Movant may offer and provide Debtor with information re: a potential
14 Forbearance Agreement, Loan Modification, Refinance Agreement, or other Loan Workout/Loss
15 Mitigation Agreement, and may enter into such agreement with Debtor. However, Movant may
16 not enforce, or threaten to enforce, any personal liability against Debtor if Debtor's personal
17 liability is discharged in this bankruptcy case;

18 8. This Order shall be binding and effective despite any conversion of this
19 bankruptcy case to a case under any other chapter of Title 11 of the United States Code; and

20 9. Counsel for Movant is to serve a copy of this Order immediately upon Debtor,
21 Debtor's counsel, the Trustee, and all other interested parties entitled to Notice of Motion.

22 DATED this ____ day of _____, 2010.

23
24 _____
25 UNITED STATES BANKRUPTCY JUDGE
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